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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,380	10/31/2003	Johnny I. Accot	ARC920030061US1	3034

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01/10/2007

EXAMINER

ALI, OMAR R

ART UNIT

PAPER NUMBER

2112

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/699,380

Applicant(s)

ACCOT, JOHNNY I.

Examiner

Omar Abdul-Ali

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20031031</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to the original filing of October 31, 2003. Claims 1-35 are pending and have been considered below.

Drawings

1. The drawings are objected to because Figure 2(a) is unclear. It is difficult to determine what labels 21 and 23 are pointing to in the figure. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 32 recites the limitation "the fixed proportion". There is insufficient antecedent basis for this limitation in the claim. The Examiner takes note that the fixed proportion was previously mentioned in claim 30, and thus will further examine Claim 32 as being dependent from Claim 30.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 5-12, 14, 17-24, 26, and 29-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Blades (US 5,706,448).

Claim 1: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system comprising:

- a. a non-linear path region that corresponds to a list of items in a computer applications (column 7, lines 7-9);
- b. a rotatable handle region (rotatable scroll bar) that corresponds to a subset of the items in the list (column 6, lines 55-57).

Claim 2: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 1 above, further comprising:

- a. non-linear path region comprises a spiral configuration (column 7, lines 7-9).

Claim 5: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 1 above, further comprising:

- a. each item in the list represented by a fixed proportion of the path region (column 7, lines 23-27).

Claim 6: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 1 above, further comprising:

- a. handle region proportional to a fixed proportion of the path region (column 7, lines 7-9).

Claim 7: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 5 above, further comprising:

- a. fixed proportion is a fixed angle (column 7, lines 23-27).

Claim 8: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 6 above, further comprising:

- a. fixed proportion is a fixed angle (column 7, lines 7-9).

Claim 9: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 1 above, further comprising:

- a. a length of the path region is directly proportional to an amount of items in the list (column 7, lines 23-27).

Claim 10: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 1 above, further comprising:

- a. a display region that displays the subset (column 3, lines 11-12).

Claim 11: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 1 above, further comprising:

- a. handle manipulator (head, tail) for manipulating the handle region (column 7, lines 16-29).

Claims 12 and 24: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system comprising:

- a. a non-linear trough that corresponds to a list of items in a computer application (column 7, lines 7-9);

- b. a rotatable thumb that corresponds to an accessed portion of the list of items (column 6, lines 16-20);
- c. a partition region that corresponds to predetermined transitions between items in the list (column 7, lines 16-20).

Claim 14: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 12 above, further comprising:

- a. non-linear path region comprises a spiral configuration (column 7, lines 7-9).

Claims 17 and 29: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claims 12 and 24 above, further comprising:

- a. each item in the list represented by a fixed proportion of the non-linear scrollbar (column, lines 23-27).

Claims 18 and 30: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claims 12 and 24 above, further comprising:

- a. rotatable region is proportional to a fixed proportion of the path region (column 7, lines 7-9).

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Claims 19 and 31: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claims 17 and 29 above, further comprising:

- a. the fixed proportion is a fixed angle (column 7, lines 23-27).

Claims 20 and 32: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claims 18 and 30 above, further comprising:

- a. the fixed proportion is a fixed angle (column 7, lines 7-9).

Claims 21 and 33: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claims 12 and 24 above, further comprising:

- a. a length of the non-linear scrollbar is directly proportional to an amount of items in the list (column 7, lines 23-27).

Claims 22 and 34: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claims 12 and 24 above, further comprising:

- a. the list of items arranged and displayed circumferentially around a perimeter of the non-linear scrollbar (column 3, lines 11-17).

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Claims 23 and 35: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claims 12 and 24 above, further comprising:

- a. a handle manipulator (head, tail) for manipulating the handle region (column 7, lines 16-29).

Claim 26: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in claim 24 above, further comprising:

- a. non-linear path region comprises a spiral configuration (column 7, lines 7-9).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-4, 13, 15-16, 25, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blades (US 5,706,448).

Claim 3: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in Claim 1 above, but does not explicitly show that the non-linear path region comprises a square configuration.

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However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claim 4: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in Claim 1 above, but does not explicitly show that the non-linear path region comprises a rectangular configuration. However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claim 13 and 25: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in Claims 12 and 24 above, but does not explicitly disclose that as the thumb rotates, the list of items rotate correspondingly. However, it would have been obvious to one having ordinary skill in the art at the time of the invention that the list could be rotated as the thumb rotates. One would have been motivated to rotate the list to add more elements to the list, or for customization purposes.

Claims 15 and 27: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in Claims 12 and 24 above, but does not explicitly show that the non-linear path region comprises a square configuration. However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

Claims 16 and 28: Blades discloses a method and system for manipulating data through a graphic user interface within a data processing system as in Claims 12 and 24 above, but does not explicitly show that the non-linear path region comprises a rectangular configuration. However, the examiner considers it immaterial as to which shape the path region is configured and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the path region could be configured in different shapes. One would have been motivated to change the configuration of the path region for customization purposes.

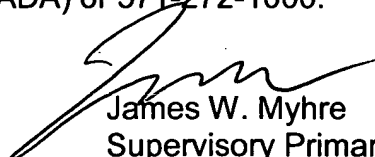
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Abdul-Ali whose telephone number is 571-270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on 571-270-1065. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA
12/21/06


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